



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

June 14, 2013

ARTHUR M. ELK, TREASURER
ELK & ELK PAC
6105 PARKLAND BOULEVARD
MAYFIELD HEIGHTS, OH 44124

Response Due Date
07/19/2013

IDENTIFICATION NUMBER: C00540674

REFERENCE: YEAR-END REPORT (10/01/2012 - 12/31/2012)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 1 item(s):

- Schedule A of your report (see attached) discloses one or more contributions which appear to exceed the limits set forth in the Act. 2 U.S.C. §441a(f) prohibits a committee from accepting contributions from a person in excess of \$5,000 per calendar year. For your information, a partnership is included in the definition of "person" under 2 U.S.C. §431(11). The Commission notes your additional explanation regarding the committee's corrective action taken for all of these contributions.

If any apparently excessive contribution in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information.

If any contribution you received exceeds the limits, you may have to refund the excessive amount. The funds can be retained if within 60 days of receipt you (1) transferred the excessive amount to an account not used to influence federal elections, and (2) provided written notice to the person making the contribution of the option of receiving a refund. Any request from a donor for a refund must be honored.

If the foregoing conditions for transfers to a non-federal account were not met within 60 days of receipt, the excessive amount must be refunded.

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Please inform the Commission of your corrective action immediately in writing and provide a photocopy of your check for any transfer-out or refund. In addition, any transfers-out or refunds should be disclosed on Schedule B supporting Line 22 or 28 of the report during which the transaction was made.

Although the Commission may take further legal action regarding the acceptance of an excessive contribution(s), your prompt transfer-out or refund of the excessive amount will be taken into consideration. (11 CFR §103.3(b)(1) and (3))

Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. **Requests for extensions of time in which to respond will not be considered.**

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1393.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul R. Stoetzer", with a stylized flourish at the end.

Paul Stoetzer
Senior Campaign Finance Analyst
Reports Analysis Division

Excessive, Prohibited, and Impermissible Contributions
Elk & Elk PAC (C00540674)

Excessive Contributions from Partnerships

Contributor Name	Date	Amount	Report
Elk & Elk Co., Ltd.	10/12/12	\$3,200.00	2012 Year End
Elk & Elk Co., Ltd.	10/17/12	\$2,500.00	2012 Year End
Elk & Elk Co., Ltd.	10/23/12	\$3,000.00	2012 Year End
Elk & Elk Co., Ltd.	10/25/12	\$28,000.00	2012 Year End